

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-000113-002 DT

06/11/2014

HON. JOHN R. DITSWORTH

CLERK OF THE COURT

M. Brady

Deputy

STATE OF ARIZONA

ROBERT JOHN MAYER

v.

BRIAN MICHAEL DELLAVECCHIA (002)

CORWIN A TOWNSEND

DOB: 02/07/1988

APO-SENTENCE IMPRISON-CCC

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

SENTENCE OF IMPRISONMENT

9:33 a.m.

State's Attorney: Robert Mayer

Defendant's Attorney: Corwin Townsend

Defendant: Present

Court Reporter: Karen Dawson

Maryann Smith addresses the Court on behalf of the Defendant.

The Defendant addresses the Court.

Count(s) 2, 9, 10, 13, 14, and 17: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-000113-002 DT

06/11/2014

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2: Armed Robbery
Class 2 Dangerous Felony
A.R.S. § 13-1904, 1901, 1902, 301, 302, 303, 304, 701, 702, 704, 801
Date of Offense: 09/14/2012
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 9: Attempted 2nd Degree Murder
Class 2 Dangerous Felony
A.R.S. § 13-1001, 1101, 1104, 301, 302, 304, 704, 710, 701, 702, 801
Date of Offense: 09/14/2012
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 10: Attempted 2nd Degree Murder
Class 2 Dangerous Felony
A.R.S. § 13-1001, 1101, 1104, 301, 302, 304, 704, 710, 701, 702, 801
Date of Offense: 09/14/2012
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 13: Aggravated Assault
Class 3 Dangerous Felony
A.R.S. § 13-1203, 1204, 3105, 301, 302, 303, 304, 701, 702, 704, 801
Date of Offense: 09/14/2012
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 14: Drive by Shooting
Class 2 Dangerous Felony
A.R.S. § 13-1209, 3105, 301, 302, 303, 304, 701, 702, 704, 801
Date of Offense: 09/14/2012
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 17: Disorderly Conduct
Class 6 Dangerous Felony
A.R.S. § 13-2904, 301, 302, 303, 304, 701, 702, 704, 891
Date of Offense: 09/14/2012
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-000113-002 DT

06/11/2014

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 2: 12.5 year(s) from 06/11/2014
Presentence Incarceration Credit: 652 day(s)
More Than Presumptive
Sentence is concurrent with Count 10 and Count 14.

Count 9: 12.5 year(s) from 06/11/2014
Presentence Incarceration Credit: 652 day(s)
More Than Presumptive
Sentence is concurrent with all counts.

Count 10: 12.5 year(s) from release from Count 9
Presentence Incarceration Credit: 0 day(s)
More Than Presumptive
Sentence is concurrent with Counts 2 and 14 and consecutive to Count 9.

Count 13: 15 year(s) from 06/11/2014
Presentence Incarceration Credit: 652 day(s)
Maximum
Sentence is concurrent with all counts.

Count 14: 12.5 year(s) from upon release from Count 2
Presentence Incarceration Credit: 0 day(s)
More Than Presumptive
Sentence is concurrent with Count 10 and consecutive to Count 2.

Count 17: 3 year(s) from 06/11/2014
Presentence Incarceration Credit: 652 day(s)
Maximum
Sentence is concurrent with all counts.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

Count 2: PROBATION SURCHARGE: \$20.00.

The Court retains jurisdiction for any future restitution hearings.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-000113-002 DT

06/11/2014

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in CR2012-142132-001.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 1, 3, 4, 5, 6, 7, 8, 11, 12, 15, 18.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR2013-000113-002.

9:50 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-000113-002 DT

06/11/2014

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. JOHN R. DITSWORTH
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)